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Respectfully submitted,

By: Thomas L. Evans  
Thomas L. Evans, PTO Reg. No. 35,805  
BANNER AND WITCOFF, LTD.

Atty. Docket No.  
005156.00011

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 16 2003

In re Patent Application of:

Timothy Joel BROWN

U.S. Pat. App. No.: 09/625,989

Filed: July 26, 2003

Technology Center 2100

Group Art Unit: 2126

For: A METHOD FOR USING A FLOATING PALLET FOR A DIGITAL ASSET  
MANAGEMENT SYSTEM IN A PLURALITY OF DIFFERENT APPLICATIONS

REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450,  
Alexandria, 22313-1450

Sir:

Applicant respectfully asks for reconsideration of both the above-identified application and the Office Action dated April 10, 2003. A response to this Office Action was due by July 10, 2003. Accordingly, Applicant is concurrently submitting a Petition for a two month extension of time, along with authorization to charge the small-entity Petition fee of \$205 to Deposit Account No. 19-0733. Please consider this Request as timely filed.

In the Office Action, the Examiner first objected to the drawings, and required that formal drawings be filed. As discussed in a telephone conference between the undersigned and the Examiner on August 9, 2003, Applicant is preparing formal drawings for this application, and will submit such formal drawings in due course.

Next, the Examiner rejected claims 1 and 2 over U.S. Patent No. 6,526,566 to Austin. Applicant respectfully traverses this rejection, and courteously asks for its reconsideration.

Claims 1 and 2 recite a method of using a floating pallet for a digital asset management system that includes creating a single extension plug in to interface with API's of all of a plurality of different applications, wherein the extension plug-in communicates with said digital asset management. Thus, these claims recites a single software object (i.e., a single extension plug-in) to communicate with a plurality of API's for different applications.

In rejecting claims 1 and 2, the Examiner stated:

Austin does not explicitly teach a plurality of applications. However, Austin (lines 49-62 column 21) discusses the concept of a stand-alone DataSocket that provides data to multiple applications concurrently. It would have been obvious to consider this teaching as a single extension plug-in interfacing with a plurality of different applications because this simplifies network programming as disclosed by Austin (lines 49-61 column 21). (See Office Action, page 3, lines 9-14.)

Applicant respectfully submits that the Examiner has misinterpreted the disclosure of the Austin patent.

The portion of the Austin patent at column 21, lines 49-61, discloses the use of a "DataSocket [that] provides a single, unified, end-user application programming interface (API) for connecting to data..." (*Id.*, lines 37-39.) Thus, rather than a plug-in for use with a plurality of

application programming interfaces, the DataSocket teaches a single application programming interface. The DataSocket Server then facilitates the exchange of data between application programs using a version of the DataSocket application programming interface. Thus, the DataSocket Server likewise does not teach or suggest a plug-in for communicating with a plurality of different APIs. (See, e.g., *Id.*, lines 49-53.)

Accordingly, Applicant respectfully submits that the portion of the Austin patent relied upon by the Examiner would not teach or suggest the invention recited in claims 1 and 2. It is therefore asked that this rejection of claims 1 and 2 be withdrawn.

In view of the above remarks, it is respectfully submitted that all of the claims are allowable, and that this application is in condition for allowance. Favorable action in this regard is courteously requested at the Examiner's earliest convenience.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Thomas L. Evans  
Thomas L. Evans, Reg. No. 35,805  
1001 G Street, N.W., 11<sup>th</sup> Floor  
Washington, D.C. 20001-4597  
Telephone: (202) 508-9100  
Facsimile: (202) 508-9299

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